

**ENTERED**

March 29, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

NEMO CAY RESORT TOWNHOME  
ASSOCIATION, INC.,

Plaintiff,

VS.

UNDERWRITERS AT LLOYD'S,  
LONDON SUBSCRIBING TO  
CONTRACT CTW001033, *et al.*,

Defendants.

[illegible]

CIVIL ACTION NO. 2:19-CV-386

## ORDER ADOPTING MEMORANDUM AND RECOMMENDATION


Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation (M&R). (D.E. 33). The M&R recommends that the Court deny Plaintiff's Opposed Motion to Partially Set Aside Appraisal Award. (D.E. 21).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at \*1 (S.D. Tex. June 18, 2015).

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its

entirety. (D.E. 33). Accordingly, the Court **DENIES** Plaintiff's Opposed Motion to Partially Set Aside Appraisal Award. (D.E. 21). The parties are **ORDERED** to appear before the undersigned for a scheduling conference on **April 1, 2021 at 9:30a.m.** to discuss whether any live controversy or claims remain in this case and the need for any amended scheduling order. All settings and deadlines in this case are **TERMINATED**.

SO ORDERED.

  
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DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas  
March 29, 2021